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Agenda item 12

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/45/838)]

45/165. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 44/160 of 15 December 1989 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances, and about the fact that, in certain cases, the families of disappeared persons have been the target of intimidation and ill-treatment,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Concerned by the growing number of reports concerning harassment of witnesses of disappearances or relatives of disappeared persons,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1990/30 of 2 March 1990, 1/

1/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

READEX FICHE

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;

2. Welcomes the decision made by the Commission on Human Rights at its forty-sixth session, to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980, 2/ while maintaining the principle of annual reporting by the Working Group;

3. Recalls the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986 3/ to enable the Working Group to fulfil its mandate with greater efficiency;

4. Notes with satisfaction that the Working Group on Detention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities has completed preparation of the draft declaration on the protection of all persons from enforced or involuntary disappearances 4/ and that the Sub-Commission has decided to transmit the draft to the Commission on Human Rights; 5/

5. Appeals to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group on Enforced or Involuntary Disappearances, to co-operate fully with it so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role, and in particular to reply more quickly to the requests for information addressed to them;

6. Encourages the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling it to fulfil its mandate even more effectively;

7. Extends its warm thanks to those Governments which have invited the Working Group and requests them to give all necessary attention to its recommendations;

8. Appeals to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment of which they may be the target;

2/ Ibid., 1980, Supplement No. 3 and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

3/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

4/ E/CN.4/Sub.2/1990/32, annex.

5/ See E/CN.4/1991/2-E/CN.4/Sub.2/1990/59, chap. II, sect. A, resolution 1990/33.

9. Calls upon the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Working Group to the Commission at its forty-seventh session;

10. Renews its request to the Secretary-General to continue to provide the Working Group with all necessary facilities.

69th plenary meeting
18 December 1990